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Docket No.: 4000.2.96



MAY 20 2002

OFFICE OF PETITIONS

Novak et al.

Art Unit

2643

Title: METHOD AND SYSTEM FOR DISTRIBUTING
PERSONALIZED EDITIONS OF MEDIA PROGRAMS
USING BOOKMARKS

PETITION UNDER 37 C.F.R. § 1.47

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

James K. Okamoto and Kory D. Christensen hereby petition under 37 C.F.R. § 1.47 to allow the application to be made in the absence of a joint inventor, Robert E. Novak, on the grounds that Mr. Novak refuses to join in the application.

As described in the Declaration of Bonita R. Gladden, attached hereto as Exhibit A, Mr. Novak agreed to assign the above-identified application to digeo, inc. However, Mr. Novak has been uncooperative in signing and returning patent documents and in responding to telephone calls and e-mails.

Moreover, the undersigned sent to Mr. Novak a copy of the application, including an inventor declaration and assignment, on January 10, 2002, by Federal Express. A copy of the

Federal Express receipt and Tracking Report are attached hereto as Exhibit B. Included with the application was a prepaid, self-addressed, Federal Express envelope for convenient return of the signed inventor declaration.

Likewise, on March 28, 2002, the undersigned sent to Mr. Novak a second copy of the application, including another copy of the inventor declaration and assignment. The second application was also sent by Federal Express and included a return Federal Express envelope. A copy of the Federal Express receipt and Delivery Confirmation are attached hereto as Exhibit C.

However, as of the date of this petition, a signed copy of the inventor declaration has not been received from Mr. Novak by the undersigned or by the in-house counsel of digeo, inc.

Mr. Novak's last known address is as follows:

602 Valeri Ruth Court
Santa Clara, CA 95080

In view of the foregoing, the other joint applicants, James K. Okamoto and Kory D. Christensen, respectfully request that prosecution of the application proceed without Mr. Novak.

DATED this 4th day of April, 2002

Respectfully submitted,



Kory D. Christensen
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